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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------|
| 10/656,472 | 09/05/2003 | Alain Blanc | FR920020055US1 | 8689 |
| 25299 | 7590 | 02/09/2006 | | |
| IBM CORPORATION PO BOX 12195 DEPT YXSA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709 | | | EXAMINER RIZK, SAMIR WADIE | |
| | | | ART UNIT 2133 | PAPER NUMBER |

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/656,472 | | BLANC ET AL. | |
| | Examiner | | Art Unit | |
| | Sam Rizk | | 2133 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTIONS

- Claims 1-11 have been submitted for examination
- Claims 1-11 have been rejected

Claim Objections

1. Claims 9 and 10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 1-8. See MPEP § 608.01(n). Accordingly, the claims 9 and 10 are not been further treated on the merits.
2. Claims 9 and 10 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claims 9 and 10, or amend the claims 9 and 10 to place the claims 9 and 10 in proper dependent form, or rewrite the claims 9 and 10 in independent form.
3. Claim 3 should recite ".....to said second value **value**" page 17, line 23. And "..... to said first value **value**....." In page 18, line 5. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Regarding claim 10, the phrase "computer- like" renders the claim indefinite because the claim includes elements not actually disclosed (those encompassed by "computer-like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
5. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Szymanski US publication no. 2002/0053062 (Hereinafter Szymanski).
6. In regard to claim1, Szymanski teaches:
- A method to test a communication system (200) comprising a plurality of emitters (205), receivers (210) and channels (220), with a set of data, each data comprising at least one emitter and one receiver identifiers, said method comprising the steps of:
(Note: Figures (10 and (20 in Szymanski0
 - for each data of said set of data;
(Note: section [0194], line (1) in Szymanski)

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- assigning a connection identifier value to said data according the emitter and receiver identifiers of said data (445) ;
(Note: Section [0194]. Line (3) in Szymanski0
- computing CRC bits on said data (420);
(Note: FIG. 21, reference character (216) in Szymanski)
- associating said computed CRC bits and said connection identifier value with said data (410);
(Note: FIG. 21, reference character (220) in Szymanski)
- transmitting said data, said computed CRC bits and said connection identifier value to said communication system;
(Note: FIG. 21, reference character (16) in Szymanski)
- processing said transmitted data, computed CRC bits and connection identifier value in said communication system to pass on said data, said computed CRC bits and said connection identifier value to corresponding receiver;
(Note: Figures (24) and (41) in Szymanski)
- extracting data identifier value CRC bits (465) and connection identifier value (460);
(Note: Section [0218], lines (10-15) in Szymanski)
- computing CRC bits on said extracted data (470) and,
(Note: FIG. 24, reference character (308) in Szymanski)

- comparing said extracted bits and said bits computed on said extracted data (475), wherein a transmission error is detected if said extracted CRC bits and said CRC bits computed on said extracted data are different.

(Note: Section [0157], lines (1-3) in Szymanski)

7. In regard to claim 2, Szymanski teaches:

- The method of claim 1 wherein said step of associating said computed CRC bits and said connection identifier value to said data includes formatting a frame comprising said computed CRC bits, said connection identifier value and said data.

(Note: Section [0195], lines (5-7) in Szymanski)

8. In regard to claim 3, Szymanski teaches:

- The method of claim 1 wherein,
- said steps of computing CRC bits and associating said CRC bits and said connection identifier value said data includes comparing the length said data with a maximum frame length threshold and,
- if the length of said data is greater than said maximum frame length threshold:
- dividing said data into blocks, computing CRC bits on the first block, and selecting the second block;
- merging said selected block and said computed CRC a new block and computing CRC bits on said new bits block;

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- checking if CRC bits have been computed for each of said blocks:
- if CRC bits have not been computed for each of said blocks, formatting a frame for said selected block, comprising said selected block, said associated connection identifier value and a flag set a second value, selecting next block on which CRC bits have not been computed and repeating the last two steps,
- else CRC bits have been computed for each of said blocks, formatting a frame for said selected block, comprising said selected block, said associated bits, said associated connection identifier value and a flag set first value;
- else the length of said data equal or less than said maximum frame length threshold, computing CRC bits on said data and formatting a frame comprising said data, said computed CRC bits, said associated connection identifier value and a flag set to a first value;
- said step of extracting data, CRC bits and connection identifier value consists in extracting said flag and,
- if the value of said flag is equal to said first value, extracting said data, said CRC bits and said connection identifier value;
- else if the value said first flag is equal said second value, extracting said block and said connection identifier value;
- said step of computing said CRC bits on said extracted data consists in:

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- if the value of said flag is equal to said second value:
- if the value of the flag of the previous received frame having the same connection identifier value equal to said first value, computing temporary CRC bits on said extracted data;
- else if the value the flag of the previous received frame having the same connection identifier value is equal to said second value, merging said computed temporary CRC bits with said extracted data and computing temporary CRC bits;
- else if the value of said flag is equal to said first value:
- if the value of the flag of the previous received frame having the same connection identifier value is equal to said second value, merging said computed temporary CRC bits with said extracted data and computing CRC bits;
- else if the value of the flag of the previous received frame having the same connection identifier value is equal to said first value, computing CRC bits on said extracted data.

(Note: Sections [0202] through [0217] in Szymanski)

9. In regard to claim 4, Szymanski teaches:

- The method of claim 3 wherein the order value of the block is encoded in the frame if the value of the flag associated to said frame is equal to said second value.

(Note: section [0156] in Szymanski)

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10. Claim 5 is rejected for the same reasons as per claim 4.

11. In regard to claim 6, Szymanski teaches:

- The method of claim 1 wherein said step of computing CRC bits on said data comprises the steps of :
 - processing said data according to the process applied by said communication system on said transmitted data and,
 - computing CRC bits on said processed data.

(Note: FIG. 21, reference character (216), in Szymanski)

12. In regard to claim 7, Szymanski teaches:

- The method of claim 1 wherein the steps of assigning a connection identifier value, computing CRC bits and assigning said computed CRC bits and said connection identifier value to said data, for each data of said set data, are executed before testing said communication system.

(Note: FIG. 21 or 23 in Szymanski)

13. In regard to claim 8, Szymanski teaches:

- The method claim further comprising the steps of stopping the test of said communication system and forewarning the user when a transmission error is detected.

(Note: section [0196], lines (10-11) in Szymanski)

14. Claim 11 is rejected for the same reasons as per claim 1.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- O'Loughlin et al. US patent no. 6771655 teaches method and apparatus for managing data transportation.
- Dravida et al. US publication no. 2005/0251846 teaches network architecture for intelligent network elements.
- Battou et al. US publication no. 2003/0163555 teaches multi-tiered control architecture for adaptive optical networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

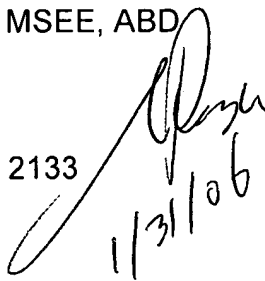
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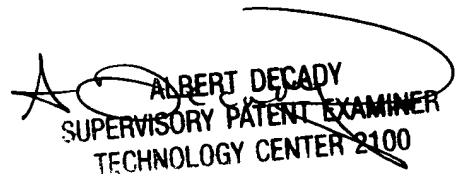
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Sam Rizk, MSEE, ABD

Examiner

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1/31/06


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